

UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF DELAWARE

In re:  
  
DVI, INC., *et al.*

Debtors.

THE OFFICIAL COMMITTEE OF  
UNSECURED CREDITORS OF DVI INC., *et.  
al.*, on behalf of DVI INC., *et. al.*,

Plaintiff,

- against -

U.S. BANK NATIONAL ASSOCIATION, f/k/a  
FIRST TRUST NATIONAL ASSOCIATION, as  
trustee, NOMURA CREDIT & CAPITAL, INC.,  
FAIRWAY FINANCE CORPORATION, and  
HARRIS NESBITT CORP. a/k/a BMO Nesbitt  
Burns Corp.,

Defendants.

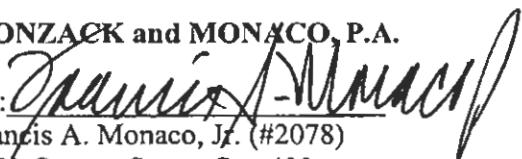
Chapter 11  
  
Case Nos. 03-12656 through  
03-12658  
  
(Jointly Administered)  
  
Adv. Pro. No. 03-59022  
  
**C.A. No. 04-0164 (JJF)**

**STIPULATION OF DISMISSAL OF APPEAL**

IT IS HEREBY STIPULATED by and between the parties to this Action, pursuant to  
Federal Rules of Bankruptcy Procedure 8001(c)(2) and through their undersigned counsel, that  
the Appeal be dismissed.

**STIPULATED AND AGREED:**

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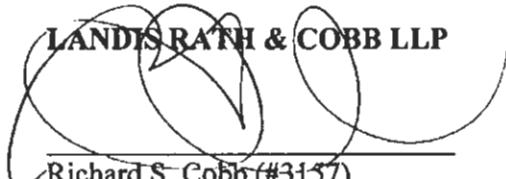
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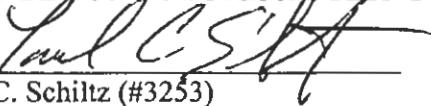
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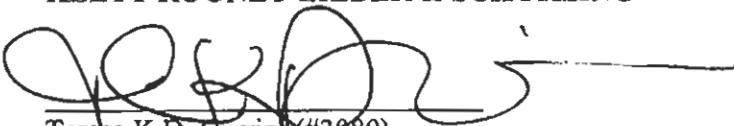
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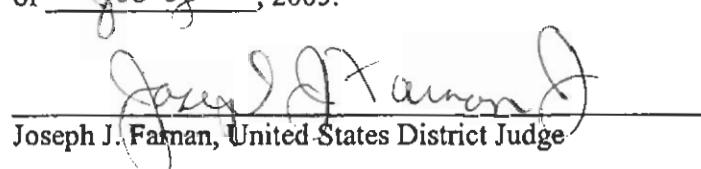
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It is so ORDERED this 27 day  
of July, 2005.

  
Joseph J. Farnan, United States District Judge